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March 16, 2001

VIA FEDERAL EXPRESS/EMAIL

Mary L. Cottrell, Secretary

Department of Telecommunications & Energy

Commonwealth of Massachusetts

One South Station, Second Floor

Boston, MA 02110

**Re: D.T.E. 01-31 Investigation of Price Cap Regulation for Verizon-Massachusetts
Intrastate Retail Telecommunications Service**

Dear Ms. Cottrell:

Please accept for filing in the above-referenced proceeding the original and one copy each of the attached "Motion to Intervene of Allegiance of Massachusetts, Inc" and "Motion to Appear Pro Hac Vice." In addition, I have also included one extra copy of the enclosed documents. Kindly date stamp and return those copies for our files.

Very truly yours,

Kevin Hawley

cc: Michael Isenberg, Esq., Telecommunications Director

Attached Service List (w/enc.)

**DEPARTMENT OF TELECOMMUNICATIONS
COMMONWEALTH OF MASSACHUSETTS**

Investigation by the Department of)

Telecommunications and Energy on its)

own Motion into the Appropriate Regulatory)

Plan to succeed Price Cap Regulation for) D.T.E. 01-31

Verizon New England, Inc. d/b/a Verizon)

Massachusetts' intrastate retail)

telecommunications services in the)

Commonwealth of Massachusetts)

MOTION TO INTERVENE OF ALLEGIANCE

TELECOM OF MASSACHUSETTS, INC.

Pursuant to 220 CMR § 1.03, Allegiance Telecom of Massachusetts, Inc. ("Allegiance") hereby petitions for leave to intervene as a party in this docket. In support of its petition, Allegiance states as follows:

1. Allegiance is a competitive local exchange carrier ("CLEC"), authorized to provide local exchange services in the Commonwealth.
2. Under Sections 251 and 252 of the Telecommunications Act of 1996, CLECs have a right to use Verizon-MA's transmission loops and other facilities to provide telecommunications service on rates, terms and conditions that are just and reasonable and nondiscriminatory. *See* 47 U.S.C. § 251(c)(2).
3. Allegiance has a substantial and specific interest in this proceeding sufficient to justify its intervention as of right. As a customer of Verizon-MA, that has the right to use the same facilities used by Verizon to provide retail telephone service, Allegiance is specifically and substantially affected by the rates Verizon-MA charges its retail customers, insofar as those prices may affect: (a) Allegiance's competitive position; and (b) Verizon-MA's ability and incentive to offer just and reasonable terms and conditions for interconnection and access by CLECs to Verizon-MA's local exchange network. Allegiance is further interested in this proceeding to the extent it is required to pay intrastate access charges to Verizon-MA.

CONCLUSION

For the forgoing reasons, Allegiance respectfully requests that the Department grant it the right to intervene in this proceeding.

Respectfully submitted.

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Counsel for Allegiance Telecom of Massachusetts, Inc.

Dated: March 16, 2001

CERTIFICATE OF SERVICE

I hereby certify that on this 16th day of March, 2001, copies of the foregoing **MOTION TO INTERVENE** and **MOTION TO APPEAR PRO HAC VICE** were sent via first-class mail, U.S. postage prepaid, to the parties on the attached service list.

Sonja Sykes-Minor